

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
Civil Action No. 1:07-cv-231

C. BURGESS,

Plaintiff,

vs.

EFORCE MEDIA, INC.; IWIZARD HOLDING,  
INC.; ADKNOWLEDGE, INC.; BASEBALL  
EXPRESS, INC.; ALLEN-EDMONDS SHOE  
CORPORATION; INTERSEARCH GROUP, INC.;  
TRUSCO MANUFACTURING COMPANY;  
PRICEGRABBER.COM, INC.; SHOPZILLA, INC.;  
DAZADI, INC.; SIX THREE ZERO  
ENTERPRISES, LLC,

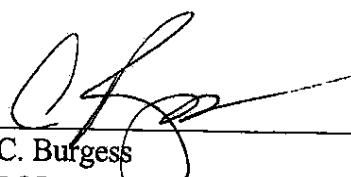
Defendants.

**STIPULATION OF DISMISSAL AS  
TO BASEBALL EXPRESS, INC.**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the parties to this action give notice to the Court that a settlement has been reached pursuant to which all claims asserted in this action against Baseball Express, Inc. have been resolved. The parties accordingly hereby stipulate to the dismissal of this action with prejudice as to Baseball Express, Inc.

This the 1<sup>st</sup> day of July, 2007.

By:



C. Burgess  
POB 6355  
Hendersonville, NC 28793

PLAINTIFF

This the 16<sup>th</sup> day of August, 2007.

POYNER & SPRUILL LLP

By: s/Keith H. Johnson

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